EXHIBIT

"35"

From: Matt Petersen [/O=ICE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MPETERSEN]
Sent: Tuesday, February 26, 2013 11:17:51 PM
To: Debby Yeger
Subject: RE: today's meeting

Debby Please keep in mind that I am in the office next to you. I was here until 8:20 p.m. last night. I can confirm that you were not here after 7:00 p.m. Your phone was off the hook last night around 6:45 p.m. I hung it up for you. No one was in the office.

Please note that point #6 of your PIP requires timely notice of time off. Again I am not a stickler for this but I continue to gain an understanding of changes in your schedule intermittently, by chance and after the fact. We cannot continue to staff the department in this manner.

With regards to your needs for time off – please communicate by email. Do not utilize voice mail.

Thank you,

From: Debby Yeger
Sent: Tuesday, February 26, 2013 3:47 PM
To: Matt Petersen
Subject: RE: today's meeting

> **you indicated that due to Vince's absence you would be leaving later today --- 6:30 . Has there been a change to your schedule that I am unaware of?**

My leaving early had no connection to Vince's absence. I had rescheduled my therapy session from Tuesday to Monday so that I would be able to stay later today, for the audit. That did not work out. I was in the office until after 7:00 PM yesterday.

In the even I will be late or become ill, I will leave a message on your answer machine.

Debby

From: Matt Petersen
Sent: Tuesday, February 26, 2013 3:36 PM
To: Debby Yeger
Subject: Re: today's meeting

Debby – To reiterate yesterday's meeting. There were two student counseling incidents that we addressed.

- Abbey brought a student in for Financial Aid counseling last Thursday. At that time you were the only representative in the office. You indicated that you could not see the student and that the student would need to wait until someone else from the office returned from lunch. (incident confirmed by Abbey today to you and I).
- Admissions attempted to schedule a student for financial aid counseling yesterday after 5pm. You indicated

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that you would not be seeing students after 5pm (effectively closing the office early) and that the student would need to come back tomorrow when someone else would be able to assist her/him despite the fact that you would be here until 6:30 today. (incident confirmed by Antonia/Tom today to you and I)

My understanding is that you confirmed the occurrence of both the above, understand that both were examples of unacceptable judgment on your part and that these incidents are in contradiction to bullet point #1 of your performance improvement plan (PIP) you signed on January 22nd. Counseling students and compliance are both very important requirements of your job. As stated in the PIP each component is 50% of your job. But, where a student needs to speak with a financial aid representative, that needs to receive priority because of the immediacy of the student's need.

If you have any questions or concerns over this PIP please see me immediately. Please understand that this is your final warning any further incidents will result in disciplinary action up to and including termination.

With regards to your 2nd paragraph – there was no mention on my part of dissatisfaction with your arriving to work late last Thursday. The issue at hand was that:

- As your supervisor you did not indicate to me that you were coming in late.
- The only schedule you have ever provided me with indicates that your end time on Monday's is 7pm but you indicated that due to Vince's absence you would be leaving later today --- 6:30 . Has there been a change to your schedule that I am unaware of?

I have never voiced any dissatisfaction with your scheduled comings and goings. In fact on many occasions you have indicated to Brian A, Mary Anne Kennedy, and me that I was very supportive with regards to your scheduling needs - I only ask that I be kept in the loop as a result of previous complaints I have received from the FA staff with regards to your attendance.

From: Debby Yeger
Sent: Monday, February 25, 2013 5:56 PM
To: Matt Petersen
Cc: Mary Anne Kennedy
Subject: today's meeting
Importance: High

Matt-

As per your instructions which have been confirmed by Mary Anne Kennedy, seeing students is my top priority and as such, working on the F/A files for Compliance review as well as any other task involved with the audit is secondary.

It is disturbing that you brought up the fact that I came in late last week because I wasn't feeling well and 'nobody knew where I was' since I had notified Antonia about this and in my working history with ICE I have never abused this and have always notified my coworkers if I was taking a sick day. You are wrong to say that no one knew where I was or whether was coming in since I had notified Antonia. This has been my practice in the past as well as the practice of others in this department. Vince and Antonia are able to come in late and leave early and I believe I have the same privilege.

Considering the fact that the auditors are arriving tomorrow and we just received the list this afternoon, as Director of Compliance and Reports I felt that retrieving and reviewing these selected files was a critical matter to the benefit of the school, especially since this was what was done in the previous three years, prior to the auditors' arrival.

Debby